

- 1) Within thirty (30) days from the date of reinstatement, Respondent shall contact the Member Assistance Program (MAP) director and submit to an assessment. Respondent shall thereafter, enter into a probation contract based upon the recommendation of the MAP director or designee, and its terms shall be incorporated herein by reference.
- 2) Respondent shall refrain from engaging in any conduct that would violate the Rules of Professional Conduct and other rules of the Supreme Court of Arizona.
- 3) In the event that Respondent fails to comply with any of the foregoing conditions, and the State Bar receives information to that effect, bar counsel shall file with the Hearing Officer a Notice of Non-Compliance, pursuant to Rule 60(a)5, Ariz.R.Sup.Ct. The Hearing Officer shall conduct a hearing within thirty (30) days after receipt of said notice, to determine whether the terms of probation have been violated and if an additional sanction should be imposed. In the event there is an allegation that any of these terms have been violated, the burden of proof shall be on the State Bar of Arizona to prove non-compliance by clear and convincing evidence.

IT IS FURTHER ORDERED that Respondent shall comply with all the provisions of Rule 72, Rules of the Supreme Court of Arizona, including, but not limited to, Rule 72(a), which requires that Respondent notify all of his clients, within ten (10) days from the date hereof, of his inability to represent them and that he should promptly inform this Court of his compliance with this Order as provided in Rule 72(e).

IT IS FURTHER ORDERED that Respondent shall comply with all rule provisions regarding reinstatement proceedings.

IT IS FURTHER ORDERED that pursuant to Rule 60(b), the State Bar of Arizona is granted judgment against **ANDREW R. PROPER** for costs and expenses of these proceedings in the amount of \$1,945.46, together with interest at the legal rate from the date of this judgment.

DATED this 8th day of January, 2008.



RACHELLE M. RESNICK

Clerk of the Court

TO:

Andrew R. Proper, Respondent (Certified Mail, Return Receipt and Regular Mail)
Ralph Adams, Respondent's Counsel
Amy K. Rehm, Bar Counsel
Richard N. Goldsmith, Hearing Officer
Nancy Swetnam, Acting Disciplinary Clerk (Cert. Copy)
Sandra Montoya, Lawyer Regulation Records Manager, State Bar of Arizona (Cert. Copy)
Cathy Catterson, Clerk, United States Court of Appeals for the Ninth Circuit (Cert. Copy)
Richard Weare, Clerk, United States District Court, District of Arizona (Cert. Copy)
West Publishing Company (Jode Ottman)
Lexis-Nexis

The foregoing instrument is a full, true and correct copy of the original on file in this office.

ATTEST

Rachelle M. Resnick, Clerk of the Supreme Court
State of Arizona

By  Deputy